

Exhibit 5

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B.C. WALKER DEPUTY

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

LEVERTY & ASSOCIATES LAW CHTD.,

Plaintiff,

v.

Athena Medical Group Defined Contribution
Pension Plan and Trust Number Three; et al.

Defendants.

JUDGMENT BY DEFAULT

Judgment by Default against Defendants Juliana Mayer Loza; Ray W. Exley M.D. Nevada Family Trust; Juliana Mayer Loza as a Corporate Officer of Athena Medical Group, Inc. and as Trustee of the Athena Medical Group Defined Pension Plan and Trust Number Three; Ingrid Van Vuerings individually and as a Corporate Officer of Athena Medical Group and as Trustee of the Athena Medical Group Defined Pension Plan and Trust Number Three; Juliana Mayer Loza as Trustee of Athena Medical Group, Inc. Defined Contribution Plan Number Two; Ingrid Van Vuerings as Trustee for Athena Medical Group, Inc. Defined Benefit Pension Plan and Trust Chtd.; Athena Medical Group Defined Contribution Pension Plan and Trust Number Three; Athena Medical Group, Inc. Defined Contribution Plan Number Two; Athena Medical Group, Inc. Defined Benefit Pension Plan and Trust Chtd.; Athena Medical Group Inc., a Nevada Corporation aka Athena Medical Group Corp., a Nevada non-filing entity and Juliana Mayer Loza as Special Administrator and Personal Representative of Ray Exley Estate.

JUDGMENT BY DEFAULT

MAY 25 2021

1 This matter came before the Court on Plaintiff Leverty & Associates Law Chtd.'s Application
2 for Judgment by Default. The Court, having review the file, the pleadings therein, the argument of
3 counsel, and the evidence presented, **THE COURT HEREBY FINDS:**

4 1. On March 23, 2021, Leverty & Associates Law Chtd. ("Leverty") filed a Complaint
5 against Defendants Juliana Mayer Loza; Ray W. Exley M.D. Nevada Family Trust; Juliana Mayer Loza
6 as a Corporate Officer of Athena Medical Group, Inc. and as Trustee of the Athena Medical Group
7 Defined Pension Plan and Trust Number Three; Ingrid Van Vuerings individually and as a Corporate
8 Officer of Athena Medical Group and as Trustee of the Athena Medical Group Defined Pension Plan
9 and Trust Number Three; Juliana Mayer Loza as Trustee of Athena Medical Group, Inc. Defined
10 Contribution Plan Number Two; Ingrid Van Vuerings as Trustee for Athena Medical Group, Inc.
11 Defined Benefit Pension Plan and Trust Chtd.; Athena Medical Group Defined Contribution Pension
12 Plan and Trust Number Three; Athena Medical Group, Inc. Defined Contribution Plan Number Two;
13 Athena Medical Group, Inc. Defined Benefit Pension Plan and Trust Chtd.; Athena Medical Group Inc.,
14 a Nevada Corporation aka Athena Medical Group Corp., a Nevada non-filing entity and Juliana Mayer
15 Loza as Special Administrator and Personal Representative of Ray Exley Estate. (Hereinafter
16 Collectively "Defaulted Defendants").
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19 2. On March 31, 2021, Defendant Juliana Mayer Loza was served a copy of the Summons
20 and Complaint, which was filed with the Court on April 14, 2021.

21 3. On April 23, 2021, the Clerk of the Court entered Default against Defendant Juliana
22 Mayer Loza, as more than 21 days, exclusive of the date of service, had expired since service upon
23 Defendant Juliana Mayer Loza, and no answer or other appearance had been filed by Defendant Juliana
24 Mayer Loza, and no further time has been requested or granted.

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26 4. On March 31, 2021, Defendant Ray W. Exley M.D. Nevada Family Trust was served a
27 copy of the Summons and Complaint, which was filed with the Court on April 14, 2021.

1 5. On April 23, 2021, the Clerk of the Court entered Default against Defendant Ray W.
2 Exley M.D. Nevada Family Trust, as more than 21 days, exclusive of the date of service, had expired
3 since service upon Defendant Ray W. Exley M.D. Nevada Family Trust, and no answer or other
4 appearance had been filed by Defendant Ray W. Exley M.D. Nevada Family Trust, and no further time
5 has been requested or granted.

6 6. On March 31, 2021, Defendant Juliana Mayer Loza as a Corporate Officer of Athena
7 Medical Group, Inc. and as Trustee of the Athena Medical Group Defined Pension Plan and Trust
8 Number Three was served a copy of the Summons and Complaint, which was filed with the Court on
9 April 14, 2021.

11 7. On April 23, 2021, the Clerk of the Court entered Default against Defendant Juliana
12 Mayer Loza as a Corporate Officer of Athena Medical Group, Inc. and as Trustee of the Athena Medical
13 Group Defined Pension Plan and Trust Number Three, as more than 21 days, exclusive of the date of
14 service, had expired since service upon Defendant Juliana Mayer Loza as a Corporate Officer of Athena
15 Medical Group, Inc. and as Trustee of the Athena Medical Group Defined Pension Plan and Trust
16 Number Three, and no answer or other appearance had been filed by Defendant Juliana Mayer Loza as a
17 Corporate Officer of Athena Medical Group, Inc. and as Trustee of the Athena Medical Group Defined
18 Pension Plan and Trust Number Three, and no further time has been requested or granted.

20 8. On March 31, 2021, Defendant Ingrid Van Vuerings individually and as a Corporate
21 Officer of Athena Medical Group and as Trustee of the Athena Medical Group Defined Pension Plan
22 and Trust Number Three was served a copy of the Summons and Complaint, which was filed with the
23 Court on April 14, 2021.

25 9. On April 23, 2021, the Clerk of the Court entered Default against Defendant Ingrid Van
26 Vuerings individually and as a Corporate Officer of Athena Medical Group and as Trustee of the Athena
27 Medical Group Defined Pension Plan and Trust Number Three, as more than 21 days, exclusive of the

1 date of service, had expired since service upon Defendant Ingrid Van Vuerings individually and as a
2 Corporate Officer of Athena Medical Group and as Trustee of the Athena Medical Group Defined
3 Pension Plan and Trust Number Three, and no answer or other appearance had been filed by Defendant
4 Ingrid Van Vuerings individually and as a Corporate Officer of Athena Medical Group and as Trustee of
5 the Athena Medical Group Defined Pension Plan and Trust Number Three, and no further time has been
6 requested or granted.

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8 10. On March 31, 2021, Defendant Juliana Mayer Loza as Trustee of Athena Medical Group,
9 Inc. Defined Contribution Plan Number Two was served a copy of the Summons and Complaint, which
10 was filed with the Court on April 14, 2021.

11 11. On April 23, 2021, the Clerk of the Court entered Default against Defendant Juliana
12 Mayer Loza as Trustee of Athena Medical Group, Inc. Defined Contribution Plan Number Two, as more
13 than 21 days, exclusive of the date of service, had expired since service upon Defendant Juliana Mayer
14 Loza as Trustee of Athena Medical Group, Inc. Defined Contribution Plan Number Two, and no answer
15 or other appearance had been filed by Defendant Juliana Mayer Loza as Trustee of Athena Medical
16 Group, Inc. Defined Contribution Plan Number Two, and no further time has been requested or granted.

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18 12. On March 31, 2021, Defendant Ingrid Van Vuerings as Trustee for Athena Medical
19 Group, Inc. Defined Benefit Pension Plan and Trust Chtd. was served a copy of the Summons and
20 Complaint, which was filed with the Court on April 14, 2021.

21 13. On April 23, 2021, the Clerk of the Court entered Default against Defendant Ingrid Van
22 Vuerings as Trustee for Athena Medical Group, Inc. Defined Benefit Pension Plan and Trust Chtd., as
23 more than 21 days, exclusive of the date of service, had expired since service upon Defendant Ingrid
24 Van Vuerings as Trustee for Athena Medical Group, Inc. Defined Benefit Pension Plan and Trust Chtd.,
25 and no answer or other appearance had been filed by Defendant Ingrid Van Vuerings as Trustee for
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1 Athena Medical Group, Inc. Defined Benefit Pension Plan and Trust Chtd., and no further time has been
2 requested or granted.

3 14. On March 31, 2021, Defendant Athena Medical Group Defined Contribution Pension
4 Plan and Trust Number Three was served a copy of the Summons and Complaint, which was filed with
5 the Court on April 14, 2021.

6 15. On April 23, 2021, the Clerk of the Court entered Default against Athena Medical Group
7 Defined Contribution Pension Plan and Trust Number Three, as more than 21 days, exclusive of the date
8 of service, had expired since service upon Defendant Athena Medical Group Defined Contribution
9 Pension Plan and Trust Number Three, and no answer or other appearance had been filed by Defendant
10 Athena Medical Group Defined Contribution Pension Plan and Trust Number Three, and no further time
11 has been requested or granted.

12 16. On March 31, 2021, Defendant Athena Medical Group, Inc. Defined Contribution Plan
13 Number Two was served a copy of the Summons and Complaint, which was filed with the Court on
14 April 14, 2021.

15 17. On April 23, 2021, the Clerk of the Court entered Default against Defendant Athena
16 Medical Group, Inc. Defined Contribution Plan Number Two, as more than 21 days, exclusive of the
17 date of service, had expired since service upon Defendant Athena Medical Group, Inc. Defined
18 Contribution Plan Number Two, and no answer or other appearance had been filed by Defendant Athena
19 Medical Group, Inc. Defined Contribution Plan Number Two, and no further time has been requested or
20 granted.

21 18. On March 31, 2021, Defendant Athena Medical Group, Inc. Defined Benefit Pension
22 Plan and Trust Chtd. was served a copy of the Summons and Complaint, which was filed with the Court
23 on April 14, 2021.

1 19. On April 23, 2021, the Clerk of the Court entered Default against Defendant Athena
2 Medical Group, Inc. Defined Benefit Pension Plan and Trust Chtd., as more than 21 days, exclusive of
3 the date of service, had expired since service upon Defendant Athena Medical Group, Inc. Defined
4 Benefit Pension Plan and Trust Chtd., and no answer or other appearance had been filed by Defendant
5 Athena Medical Group, Inc. Defined Benefit Pension Plan and Trust Chtd., and no further time has been
6 requested or granted.

7 20. On April 9, 2021, Defendant Athena Medical Group Inc., a Nevada Corporation aka
8 Athena Medical Group Corp., a Nevada non-filing entity was served a copy of the Summons and
9 Complaint, which was filed with the Court on April 14, 2021.

10 21. On May 7, 2021, the Clerk of the Court entered Default against Defendant Athena
11 Medical Group Inc., a Nevada Corporation aka Athena Medical Group Corp., a Nevada non-filing
12 entity, as more than 21 days, exclusive of the date of service, had expired since service upon Defendant
13 Athena Medical Group Inc., a Nevada Corporation aka Athena Medical Group Corp., a Nevada non-
14 filing entity, and no answer or other appearance had been filed by Defendant Athena Medical Group
15 Inc., a Nevada Corporation aka Athena Medical Group Corp., a Nevada non-filing entity, and no further
16 time has been requested or granted.

17 22. On April 9, 2021, Defendant Juliana Mayer Loza as Special Administrator and Personal
18 Representative of Ray Exley Estate was served a copy of the Summons and Complaint, which was filed
19 with the Court on April 14, 2021.

20 23. On May 7, 2021, the Clerk of the Court entered Default against Defendant Juliana Mayer
21 Loza as Special Administrator and Personal Representative of Ray Exley Estate, as more than 21 days,
22 exclusive of the date of service, had expired since service upon Defendant Juliana Mayer Loza as
23 Special Administrator and Personal Representative of Ray Exley Estate, and no answer or other
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1 appearance had been filed by Defendant Juliana Mayer Loza as Special Administrator and Personal
2 Representative of Ray Exley Estate.

3 24. On or about May 21, 2021, Plaintiff Leverty & Associates Law Chtd. filed an
4 Application for Judgment by Default against the Default Defendants which was dated May 21, 2021.

5 25. The Application for Judgment by Default provides, and is supported by attached exhibits
6 that demonstrate, Douglas County Assessor Parcel No. 1318-25-111-017, commonly known by its
7 physical address of 429 Panorama Drive, Stateline, Nevada 89449, was fraudulently transferred in
8 accordance with the provisions of Nevada Revised Statute Chapter 112 – Fraudulent Transfers (Uniform
9 Act), on or about May 12, 2017, when title to Assessor Parcel No. 1318-25-111-017 was transferred
10 pursuant to a “Quitclaim Deed” from Ray Warren Exley, M.D. to Ray Warren Exley, as Trustee of the
11 Ray Warren Exley, M.D. Nevada Family Trust. (“First Fraudulent Transfer”).
12

13 26. The Application for Judgment by Default provides, and is supported by attached exhibits
14 that demonstrate, Douglas County Assessor Parcel No. 1318-25-111-017, commonly known by its
15 physical address of 429 Panorama Drive, Stateline, Nevada 89449, was fraudulently transferred in
16 accordance with the provisions of Nevada Revised Statute Chapter 112 – Fraudulent Transfers (Uniform
17 Act), on or about February 23, 2018, when title to Assessor Parcel No. 1318-25-111-017 was transferred
18 pursuant to a “Quitclaim Deed” from the Ray Warren Exley, M.D. Nevada Family Trust to Athena
19 Medical Group Defined Contribution Pension Plan and Trust Number Three. (“Second Fraudulent
20 Transfer”).
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22 27. The Application for Judgment by Default provides, and is supported by attached exhibits
23 that demonstrate, Douglas County Assessor Parcel No. 1318-25-111-017, commonly known by its
24 physical address of 429 Panorama Drive, Stateline, Nevada 89449, was fraudulently transferred in
25 accordance with the provisions of Nevada Revised Statute Chapter 112 – Fraudulent Transfers (Uniform
26 Act), on or about January 22, 2021, when title to Assessor Parcel No. 1318-25-111-017 was transferred
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1 pursuant to a "Quit Claim Deed" from Athena Medical Group Defined Contribution Pension Plan and
2 Trust Number Three to Juliana Mayer Loza. ("Third Fraudulent Transfer").

3 28. The Application for Judgment by Default provides, and is supported by attached exhibits
4 that demonstrate, Douglas County Assessor Parcel No. 1318-25-111-017, commonly known by its
5 physical address of 429 Panorama Drive, Stateline, Nevada 89449, was fraudulently transferred in
6 accordance with the provisions of Nevada Revised Statute Chapter 112 – Fraudulent Transfers (Uniform
7 Act), on or about March 30, 2021, when title to Assessor Parcel No. 1318-25-111-017 was transferred
8 pursuant to a "Quit Claim Deed" from to Juliana Mayer Loza to Athena Medical Group Defined
9 Contribution Pension Plan and Trust Number Three. ("Fourth Fraudulent Transfer").
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11 29. Pursuant to Nevada law, and the provisions of Nevada Revised Statute Chapter 112 –
12 Fraudulent Transfers (Uniform Act), the First Fraudulent Transfer, Second Fraudulent Transfer, Third
13 Fraudulent Transfer and Fourth Fraudulent Transfer, are all void.
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15 **IT IS HEREBY ORDERED:**


16 1. The May 12, 2017, transfer of title to Douglas County Assessor Parcel No. 1318-25-111-
17 017, Douglas County Recorder Document No. 2017-898535, is hereby void.

18 2. The February 23, 2018, transfer of title to Douglas County Assessor Parcel No. 1318-25-
19 111-017, Douglas County Recorder Document No. 2018-910723, is hereby void.

20 3. The January 22, 2021, transfer of title to Douglas County Assessor Parcel No. 1318-25-
21 111-017, Douglas County Recorder Document No. 2021-960445, is hereby void.

22 4. The March 30, 2021, transfer of title to Douglas County Assessor Parcel No. 1318-25-
23 111-017, Douglas County Recorder Document No. 2021-964432, is hereby void.
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25 5. Douglas County Assessor Parcel No. 1318-25-111-017, commonly known by its physical
26 address of 429 Panorama Drive, Stateline, Nevada 89449, hereby reverts back and is to be titled in the
27 name of Ray Warren Exley, M.D.
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DISTRICT COURT JUDGE